

## REMARKS

Applicants respectfully request reconsideration of the present application in light of the foregoing amendments and following remarks.

The specification is amended to address a minor typographical issue.

Claims 3-7 and 13-18 remain pending.

Claims 1, 2, 8-12, and 19-64 are cancelled.

Claims 65-85 are added. No new matter is added.

Claims 3, 4, 7, 13, 14, and 17 are amended. No new matter is added.

In the Advisory Action dated May 28, 2008, the Examiner indicated that claims 3-7, 13-18, 65-68, and 75-91 in the Amendment filed (but not entered) on May 14, 2008, would be allowable if submitted in a separate Amendment cancelling the non-allowed claims. Claims 75-91 in the Amendment filed (but not entered) on May 14, 2008, have been renumbered as claims 69-85 in the present Amendment.

Claims 3-7 and 13-18 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. These rejections are traversed.

Claims 3-7 and 13-18 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. These rejections are traversed.

Claims 1, 2, 10-12, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaler in view of Bourret. Because claims 1, 2, 10-12, and 19 are cancelled, these rejections are rendered moot.

### *Examiner Interview Summary*

Applicants thank the Examiner for participating in a telephonic interview with the undersigned on June 4, 2008. Claims 3-7, 13-18, 65-68, and 75-91 in the Amendment filed (but not entered) on May 14, 2008, were discussed. Agreement was reached that claims 3-7, 13-18, 65-68, and 75-91 in the Amendment filed (but not entered) on May 14, 2008, would be allowable if submitted in a separate Amendment cancelling the non-allowed claims, as noted in the Advisory Action dated May 28, 2008. Claims 75-91 in the Amendment filed but not entered on May 14, 2008, have been renumbered as claims 69-85 in the present Amendment.

Applicants also thank the Examiner for participating in a telephonic interview with the undersigned on May 14, 2008. Claims 3-7 and 13-18 were discussed.

Agreement was reached that the claim amendments herein overcome the 35 U.S.C. § 101 rejections, as noted in the Advisory Action dated May 28, 2008.

Agreement was also reached that the new dependent claims 65-85 do not require further consideration because they recite features that are substantially identical to features recited in previously examined claims, as explained below.

### ***Objection to the Drawings***

The drawings are objected to under 37 C.F.R. §1.83(a) as failing to show detailed elements of flowchart elements in Figures 12A-12B, as described in the specification at page 10, line 30, to page 11, line 31.

Applicants submit that the elements to which the Examiner refers (e.g., step 1255) are shown in FIGs. 12C-12D. It appears that the Examiner merely overlooked FIGs 12C-12D while referring to the specification at page 10, line 30, to page 11, line 31. Thus, no amendments to the drawings are needed.

Accordingly, Applicants submit that the objection to the drawings should be removed.

### ***Objection to the Specification***

The Examiner has objected to the specification as making reference to background information or prior art at page 5. The section referred to does indeed reference prior art FIGs. 1 and 2, but Applicants can find no requirement that any and all references to acknowledged prior art be placed in a Background section. For example, the “preferred layout” language copied into the Office Action at page 4 explicitly states that “[t]hese guidelines are suggested for the applicant’s use” (emphasis added). Thus, no amendments to the specification are needed.

Accordingly, Applicants submit that the objection to the specification should be removed.

### ***Patentability of Claims 3-7 and 13-18 under 35 U.S.C. § 101***

Claims 3-7 and 13-18 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. These rejections are respectfully traversed.

Applicants submit that independent claims 3 and 7, as amended, each recite “a data structure storing a schema for a generic document” (emphasis added) and that independent

claims 13, 17, 20, and 26, as amended, each recite “a data store storing a first generic document and storing a value for a first key value field” (emphasis added).

Furthermore, Applicants direct the Examiner’s attention to M.P.E.P. § 2101.06(I), which states that “a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory” (referring to *In re Lowry*, 32 F.3d 1539, 1583-84, 32 USPQ.2d 1031, 1035).

Accordingly, Applicants submit that the 35 U.S.C. § 101 rejections of independent claims 3, 7, 13, and 17 should be withdrawn.

Each of claims 4-6, 14-16, and 18 depends directly or indirectly from one of independent claims 3, 7, 13, and 17, and should be allowable for at least the same reasons as the corresponding parent claim.

Accordingly, Applicants submit that the 35 U.S.C. § 101 rejections of dependent claims 4-6, 14-16, and 18 should be withdrawn.

***Patentability of Claims 3-7 and 13-18 under 35 U.S.C. § 112***

Claims 3-7 and 13-18 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. These rejections are respectfully traversed.

The Examiner asserts that a schema does not appear to be properly described within the disclosure. However, Applicants submit that the specification does indeed properly describe a schema throughout the specification. For example, the Summary section states the following at page 3, lines 9-12, that:

The invention includes a schema. The schema defines the acceptable structure for a document, and can also define the valid type and data values that a value can take on. The schema identifies a field that can be used as a key. The key can be identified as a property of a tag including the field, or can be identified by an attribute.

Additionally, Applicants direct the Examiner’s attention to FIGs. 12A-12D, which show a flowchart of a procedure for defining a schema (e.g., that can be used in conjunction with the data store of FIG. 7). A detailed description of FIGs. 12A-12D may be found in the specification at page 10, line 30, to page 11, line 31. Thus, no further description of a schema as used in the application is necessary.

Accordingly, Applicants submit that the 35 U.S.C. § 112 rejections of claims 3-7 and 13-18 should be withdrawn.

***Cancellation of Claims 1, 2, 10-12, and 19***

Claims 1, 2, 10-12, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2004/0068694 of Kaler et al. (“Kaler”) in view of *A Generic Load/Extract Utility for Data Transfer Between XML Between Documents and Relational Databases* by Bourret et al. (“Bourret”). These rejections are respectfully traversed. However, Claims 1, 2, 10-12, and 19 are cancelled without prejudice to pursuing any or all of claims 1, 2, 10-12, and 19, in whole or in part, in a divisional or continuation application.

***New Claims 65-85***

New claims 65-85 are added. No new matter is added. Each of claims 65-85 depends directly or indirectly from one of independent claims 3, 7, 13, and 17, and should be allowable for at least the same reasons as the corresponding parent claim.

Claim 65 recites features that are substantially identical to the features recited in claim 3. Claim 66 recites features that are substantially identical to the features recited in claim 4. Claim 67 recites features that are substantially identical to the features recited in claim 5. Claim 68 recites features that are substantially identical to the features recited in claim 6.

Claim 69 recites features that are substantially identical to the features recited in claim 18. Claims 70 and 81 recite features that are substantially identical to the features recited in claim 25. Claims 71 and 80 recite features that are substantially identical to the features recited in claim 21. Claims 72 and 83 recite features that are substantially identical to the features recited in claim 24. Claims 73 and 82 recite features that are substantially identical to the features recited in claim 22. Claims 74 and 84 recite features that are substantially identical to the features recited in claim 23.

Claim 75 recites features that are substantially identical to the features recited in claim 13. Claim 76 recites features that are substantially identical to the features recited in claim 14. Claim 77 recites features that are substantially identical to the features recited in claim 15. Claim 78 recites features that are substantially identical to the features recited in claim 16.

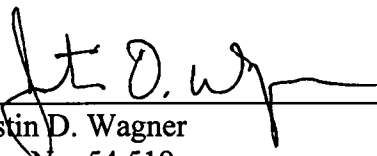
***Conclusion***

Applicants submit that the present application is in condition for allowance and such action is respectfully requested.

The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

  
Justin D. Wagner  
Reg. No. 54,519

**Customer No. 45842**